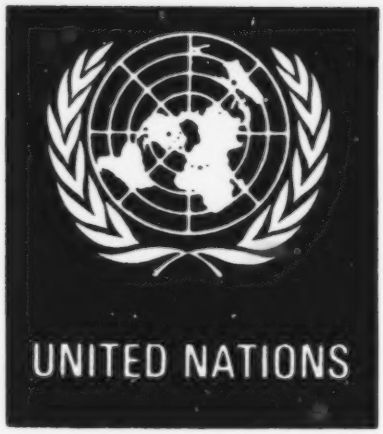

DIVISION FOR
PALESTINIAN RIGHTS

REPORT OF THE UNITED NATIONS NORTH AMERICAN NGO SYMPOSIUM ON THE QUESTION OF PALESTINE

"Towards a just and comprehensive settlement of the question of Palestine"

United Nations, New York
24-26 June 1996

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I. INTRODUCTION

1. The thirteenth United Nations North American NGO Symposium on the Question of Palestine was held under the auspices of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, at United Nations Headquarters from 24 to 26 June 1996, pursuant to General Assembly resolutions 50/84 A and B of 15 December 1995. The theme of the Symposium was "Towards a just and comprehensive settlement of the question of Palestine".

2. A total of 80 non-governmental organizations (NGOs) from Canada and the United States participated in the work of the Symposium (21 of them as observers), as well as ten panelists, who also participated in the workshops as resource persons. Representatives of 17 Governments, two intergovernmental organizations and six United Nations agencies participated as observers. A delegation of Palestine also attended.

3. The Committee on the Exercise of the Inalienable Rights of the Palestinian People was represented by Mr. Ibra Deguène Ka (Senegal), Chairman; Mr. Bruno Eduardo Rodríguez Parrilla (Cuba), Vice-Chairman; Mr. Ravan A.G. Farhadi (Afghanistan), Vice-Chairman; and Mr. Joseph Cassar (Malta), Rapporteur.

4. The Symposium was opened by Mr. Ka, who made a statement on behalf of the Committee. Statements were also made by Mr. M. Nasser Al-Kidwa, Permanent Observer of Palestine to the United Nations, and by Mr. Larry Ekin, Chairman of the North American Coordinating Committee for NGOs on the Question of Palestine (NACC). The closing meeting was chaired by Mr. Ka. The plenaries were chaired by designated NGO representatives.

5. The first plenary was entitled "Self-determination, state building - opportunities and obstacles". Statements were made by Mr. Izaat Abdul-Hadi, Director of the Bisan Centre for Research and Development in Ramallah, West Bank; Mrs. Samia Khoury, President of the Rawdat Al-Zuhur Women's Organization and representative of the Palestinian Network of NGOs in Jerusalem; Mr. Ziad Abu Zayyad, journalist, editor and publisher of the Palestine-Israel journal and Member of the Palestinian Council, Jerusalem District; and Mr. Larry Ekin, Chairman of the North American Coordinating Committee for NGOs on the Question of Palestine. The presentation of Mr. Abdulrahman Hamad, Minister of the Palestinian Authority and Member of the Palestinian Council, who was invited but could not be present, was distributed to the participants.

6. The second plenary was entitled "Palestine refugees and displaced persons". Statements were made by Mr. Salim Tamari, Professor of Sociology, Director of the Institute of Jerusalem Studies at Birzeit University and delegate to the multilateral peace negotiations on refugees; Mr. Andrew Robinson, Director-General of the Middle East Peace Process Coordination Bureau, Department of Foreign Affairs and International Trade, Canada; Mrs. Rosemary Sayigh, anthropologist, author and independent researcher in Beirut; Mr. Don Peretz, Professor Emeritus at Binghamton University, New York; and Mr. William Lee, Chief, Liaison Office, United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA), New York.

7. The third plenary was entitled "Jerusalem". Statements were made by Mr. Ziad Abu Zayyad, journalist, editor and publisher of the Palestine-Israel journal and Member of the Palestinian Council, Jerusalem District; Mr. Moshe Ma'oz, Professor of the history of the Middle East and Director of the Harry S. Truman Research Institute for the Advancement of Peace, Hebrew University, Jerusalem; Mr. Ibrahim Matar, Deputy Director of American Near East Refugee Aid, Jerusalem; and Mr. Stephen Zunes, Professor of Politics at the University of San Francisco, California.

8. Seven workshops were held on the following themes: building civil society; NGO work and developments and the current and continuing political changes; opportunities for development; the peace process and the diaspora community; work and cooperation between refugees and NGOs; Jerusalem: the closure and shifting borders; and the future of Jerusalem. Recommendations for NGO action made by workshop participants are summarized in annex II.

9. Following a decision to change the structure of the NGO coordinating body to enable rotation of half of the membership every other year, a new NACC was elected for the period 1996-1997 at the final session of the Symposium (see annex I).

II. OPENING STATEMENTS

10. In his opening statement, **Mr. Ibra Deguène Ka**, Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, said that the Committee joined other members of the United Nations in expressing confidence that the new Israeli leadership would continue the peace negotiations, fully implementing the agreements already reached. Speedy progress towards a just and comprehensive settlement was the only way to end the cycle of violence in the region.

11. He expressed appreciation for the coordination and cooperation of the NGOs with the Committee and the Division for Palestinian Rights and suggested that the Division's electronic and documentation facilities could be used to promote their work. The Committee had organized an important seminar in Cairo, from 21 to 23 May 1996, on assistance to the Palestinian people. With regard to the International NGO Meeting and European NGO Symposium, the Committee had accepted in principle the proposal of NGOs that the meeting be held in the area under the Palestinian Authority.

12. The Committee was of the view that the role of the international community at all levels, including NGOs, in support of the Palestinian people remained of great importance during the transition period. The peace process still needed to be strongly supported. It was a fragile process, as shown by the delays in implementation of agreements reached, the slow progress towards the final and crucial stage of the negotiations, the acts of violence by those seeking to undermine the peace process, the continued expansion of settlements in the West Bank and the closure of the occupied territory. In the debate on the closure held by the Security Council in April, Member States expressed great concern at the measures and their negative consequences and called on Israel, as the occupying Power, to end those measures and respect freedom of movement between the areas under the Palestinian Authority.

13. **Mr. Nasser Al-Kidwa**, Permanent Observer of Palestine to the United Nations, said that the Israeli electorate had chosen more hard-line leaders and policies. Those policies, if implemented, would have detrimental effects on the current peace process, which in turn would lead to a truly dangerous situation in the Middle East as a whole. The Israeli Government's new guidelines would make it impossible for peace to survive. The essential requirement to preserve peace was for the Israeli Government to accept the principle of returning land for peace on the basis of Security Council resolutions 242 (1967), 338 (1973) and 425 (1978). Israel should continue to uphold its commitment to the agreements with the Palestinian side in good faith. The Palestinian Authority would not accept any retreat from those commitments. Attempts to build settlements or exclude any issue from negotiation could have devastating effects. He called on the important international players to ensure the implementation of the agreements and the preservation of the basis of the peace process initiated at Madrid.

14. The Arab summit held at Cairo from 21 to 23 June was an important and positive step towards closing Arab ranks, upholding Arab rights and guaranteeing the proper international position. The Palestinian people should work hard to build on their achievements, which included the establishment of the Palestinian Authority, the holding of

national elections for the president of the Authority and the legislative Council, and the building of the institutions of the Palestinian State. They faced huge pressures and obstacles created by Israel, such as the state of siege imposed on Palestinians and other forms of collective punishment.

15. Mr. Al-Kidwa said that the United Nations had a permanent responsibility for the question of Palestine until it was effectively solved in all its aspects. The United Nations had to retain all its positions of principle related to the inalienable rights of the Palestinian people and the requirements of a just and lasting peace in the Middle East, and it had to provide all possible support for the Middle East peace process and help the efforts to build the Palestinian economy and institutions. He recalled that at its fiftieth session the General Assembly had adopted 22 resolutions related to the question of Palestine and that, during the special commemorative meeting of the fiftieth anniversary of the United Nations, arrangements applying to Member States were applied also to Palestine in its capacity as observer.

16. In conclusion, he spoke about the nature of the work and future cooperation of the NGOs and the NACC with the Committee, the Division and the Palestine Observer Mission. The common goal was to support the Palestinian people in their struggle to achieve their inalienable rights. NGOs should aim at influencing their respective Governments in that direction rather than influencing the Palestinian officials or becoming part of the internal Palestinian debate. Structures such as the NACC should not deviate from the basis of the work at the United Nations or go beyond their mandate. Confusing the Palestinian national agenda at the United Nations with other matters, however important they might be, could only harm Palestinian national interests.

17. **Mr. Larry Ekin**, Chairman of the North American Coordinating Committee for NGOs on the Question of Palestine, said that he appreciated the commitment and spirit of cooperation of NGOs and noted that the bi-national character (i.e. Canada and the United States) of the network had become a source of strength. The problem of inadequate resources made tasks more difficult but should never be used as an excuse for inaction. Rather, it should encourage NGOs to find ways to support each other's work.

III. PLENARY DISCUSSION

Plenary I. Self-determination, state building - opportunities and obstacles

18. In his paper, distributed to participants in his absence, **Mr. Abdulrahman Hamad**, Member of the Palestinian Council and Minister of the Palestinian Authority, said that there were 600,000 refugees in the Gaza Strip, more than half of whom lived in eight overcrowded camps with population densities reaching up to 21,000 persons per square kilometre. The resources of this tiny area - 46 kilometres long by 6 to 10 kilometres wide - supported and provided living space not only for the overcrowded refugees, but also to 4,500 Israeli settlers. According to official statistics, water consumption rates per capita in Israeli settlements were ten times those of Palestinians. He also recalled that, according to the Oslo II agreement, the political prisoners should have been released immediately following the signing ceremony in Washington on 28 September 1995. However, more than 3,500 Palestinian prisoners remained incarcerated.

19. On 25 February 1995, Israel had imposed a total closure on the West Bank and Gaza Strip, following the explosion of two public buses in Israel, as a security measure. This total closure had raised the already high unemployment figure to 75 per cent in Gaza and 56 per cent in the West Bank. In the Gaza Strip, where the economy was dependent upon Israel, the closure had almost paralysed the economy. Official Palestinian reports estimated a daily economic loss of $6 million. Palestinians had been prevented from travelling between autonomous areas even to receive urgent and life-saving medical care. Members of the newly-formed parliament from the Gaza Strip had

been denied permission to attend legislative sessions in the West Bank. Continued closure of the Gaza Strip and the West Bank was bound to have disastrous economic, humanitarian and political consequences. He recalled that article 9 of the first annex to the agreement, regarding secure passage arrangements, stated that a secure passage should be available between Gaza and Jericho.

20. Mr. Hamad concluded by mentioning the issue of Jerusalem and its importance to the Palestinians. On this issue, there would be no compromise. Security Council resolutions 242 (1967) and 338 (1973) stated that all the occupied territories should be returned to the Palestinians and this should include Eastern Jerusalem.

21. **Mr. Izaat Abdul-Hadi**, Director, Bisan Centre for Research and Development, Ramallah, stated that since the Oslo accords, the Palestinian NGOs had reaffirmed the importance of concentrating on state-building and of continuing to resist Israeli occupation. In reference to the law regulating NGO activities, he said that NGOs were determined to work out a corpus of new principles and concepts that would define the NGO position on the content of the proposed law. That position would form the basis for negotiations with the Palestinian Authority on the drafting of a new law. Palestinian NGOs believed in the principle of full partnership with the Palestinian Authority. Because of their years of experience, Palestinian NGOs were unwilling to accept participation only in the implementation stage or in the provision of services. Mr. Abdul-Hadi referred to the successful example of professional cooperation with the Palestinian Authority - namely, the "Trust Fund Project for NGOs", a project to establish a special fund to finance Palestinian NGOs, under the supervision of the World Bank. That partnership had produced a document of principles drawn up jointly by representatives of the Palestinian Network of Non-Governmental Organizations and the General Union of Charitable Associations, the two largest networks of Palestinian NGOs, as well as representatives from the Ministry of State Planning and Cooperation.

22. Palestinian political parties were weakened by the launching of the peace process in Madrid, the signing of the Oslo accords and the establishment of the Palestinian Authority. In consequence, those domestic organizations no longer had clear bases of support. The current discussion among Palestinian NGOs on this issue was how to rebuild the different bases of support, which required that those organizations be transformed from political, group and individual factions into the foundations of civil society, evidence of the link between professionalism, democracy, accountability and transparency. Also, funding priorities of the donor agencies had changed, with the transfer of a large proportion of their aid allocation to the Palestinian Authority. Guidelines should be drawn up to help create an equal relationship. NGOs should draft a programme document that would address their needs and establish a code of conduct and practice.

23. Mr. Abdul-Hadi stressed the importance of having powerful political parties in creating Palestinian civil society and coordination between Palestinian NGOs, and he highlighted the role and importance of Islamic NGOs. A dialogue was important at this stage in order to define appropriate goals and strengthen the relationship between secular and Islamic NGOs. In this new situation, a network of Palestinian NGOs had to be created to act as a "social block" which would help revitalize democracy and the idea of civil society. At present, their basic mission was to influence the public policies of the Palestinian Authority and the laws which the Council would pass, so as to ensure that those laws were just and democratic.

24. **Mrs. Samia Khoury**, President of the Rawdat the Al-Zuhur Women's Organization in Jerusalem, gave an historical outline of the Palestinian struggle, stressing that the continual denial of their right of self-determination was the main stumbling block to peace. The failure of Israel and other Powers, namely the United States, to realize and encourage that right had not only minimized international law, but was ultimately counter-productive to a lasting peace.

25. She stressed the importance of both sides being committed to peace and objected to Israel's lack of implementation of the Oslo accords. The Palestinians' solid commitment to peace was exemplified by their recognition of the State of Israel and their forfeiture of 70 per cent of their homeland. Despite the joy in the wake of the Oslo accords, feelings of frustration were mounting with the lack of progress because the reality remained that occupation of the West Bank, Gaza, and East Jerusalem still existed. Palestinians were beginning to believe the peace process was merely a facade with little real commitment on the part of Israel except to gain trading partners in the Middle East and the rest of the world.

26. In her conclusion, Mrs. Khoury pointed out that Palestinians had reached the end of the road in compromises but had gained very little from doing so. The confiscation of land for bypass roads had continued and the fate of Jerusalem remained undecided. Visitors from all over the world were able to visit Jerusalem while its indigenous people, Christian or Muslim, were denied entrance. She stressed that with the formation of the Palestinian Authority, the NGO community should play a complementary and needed role. She also stressed the educational importance of civics and democracy being taught early to Palestinian youth as this would ensure a democratic state not in rhetoric, but in practice.

27. **Mr. Larry Ekin**, Chairman of the North American Coordinating Committee for NGOs on the Question of Palestine, acknowledged that NGOs had been successful in the area of public information but less in the area of advocacy. There was a constituency of informed people but it was not able to affect the policies of the United States Government. He praised the work of the United Methodist Church, with ten million members, which met every four years to determine the overall policy and direction of the Church, and he urged NGOs to look at the positions and deliberations they had adopted on Jerusalem, settlements, confiscation of Palestinian land, the problem of homelessness, the closure of Jerusalem to Palestinians and the importance of economic support. In those deliberations, they had asserted that Governments, by their silence and through financial assistance, contributed to the creation of facts on the ground which impeded peace and might preclude any hope of Jerusalem ever becoming the city of peace and reconciliation. He also mentioned that in Canada NGOs had developed the Middle East Working Group on the question of refugees and had attempted to engage the Canadian Government in advocacy work, since Canada chaired the multi-lateral working group on refugees.

28. **Mr. Ziad Abu Zayyad**, journalist, editor and publisher of the Palestine-Israel journal and member of the Palestinian Council, Jerusalem District, said the Israeli policy was difficult to understand because of the continual expansion of settlements. Without their removal and without real disengagement and separation between Israelis and Palestinians there would be no chance for a political solution to the conflict. Since the signing of the Declaration of Principles new realities had started to be established on the ground: for the first time in history there were elections for President of the Palestinian Authority and the legislative Council. The new challenge for the Council was to start to lay the basis for a democratic state and society. It had been difficult to make the mental transfer from a revolution to a Government and Authority. NGOs had played a very important role during the Israeli occupation, but there should be a change in the mentality; NGOs should complement the Authority.

29. Mr. Zayyad said that the peace process had slowed down under the former Israeli Government, and he described the lack of implementation of the agreements: redeployment was delayed in Hebron; the commitment to establish a safe passage between the Gaza Strip and the West Bank had not been implemented; and Israel had started applying a policy of disengagement between the two areas by forcing isolation on the Gaza Strip and impeding hundreds of students from continuing to study in the West Bank. In addition, Israel did not implement the agreements regarding the passage over the bridge on the river Jordan and the Rafa passage and members of the legislative Council were prevented from exercising free movement inside the West Bank, between the West Bank and Gaza and between the West Bank and Jerusalem. Israel tightened the closure on East Jerusalem, did not continue the process of transferring area C to B, as previously agreed, and had refrained from releasing Palestinian political prisoners.

30. In his conclusion, Mr. Zayyad said that the future of the peace process under the new Israeli Government looked very discouraging. The principle of non-compromise on the creation of a Palestinian State, on the Golan Heights, on Jerusalem, and on the removal of settlements was becoming the image of that Government. Much had to be done. Israel was still controlling 95 per cent of the Palestinian territory. If the peace process were halted, the situation could explode from inside and turn into a confrontation. It was the responsibility of the sponsors of the peace process, the United Nations and the international community not to allow the new Government in Israel to implement its plans and kill the dreams and hopes of millions of Palestinians and Israelis who were wishing for peace.

Plenary II. Palestine refugees and displaced persons

31. **Mr. Salim Tamari**, Professor of Sociology at Birzeit University and delegate to the multilateral peace negotiations on refugees, said that as final status negotiations came closer, a number of issues were likely to dominate the debate over the future of the refugees. First, with regard to refugees and displaced persons, there were currently over 1 million displaced persons, and 2.5 million refugees from 1948 and their descendants, but there was an overlap between the two categories, since at least 30 per cent of displaced persons were second-time refugees. A number of factors would determine their relocation to the Palestinian territory, including quotas of return that may be agreed upon, the absorptive capacity of the Palestinian economy and the attractiveness of the new regime in comparison to the relative security of Palestinians in the host countries. The issues of displaced persons and refugees should be dealt with separately.

32. Secondly, with regard to the question of compensation or return, Mr. Tamari felt that as final status negotiations started, immense diplomatic pressure would start building on the Palestinians to give up their insistence on the right of return. In his view, the right of return should not be conditional; it should be a separate act of sovereignty. Reparations to Jews who lost their homes in their original Arab countries should be a bilateral issue between Israel and the respective Arab countries. He suggested that two separate forms of reparation be made: collective, the results of which would be used to rebuild the Palestinian State; and individual, which would be negotiated between Israel and a representative of the refugees.

33. Thirdly, with regard to Jerusalem and the refugee negotiations, Mr. Tamari said that the status of Jerusalem had been inadvertently linked to the refugee issue as a result of several moves on the part of the Israeli Government and the Jerusalem Municipal Council. A series of restrictions had been imposed on the Jerusalem Palestinians, followed by a campaign to close down Palestinian institutions. In reaction to this campaign, Faisal Husseini had reminded an Israeli audience in May 1995 that 70 per cent of West Jerusalem property belonged to Palestinian Arab refugees.

34. Fourthly, with regard to the status of refugee camps, he stated that Palestinians had adopted the view that refugees in the camps of the host countries should be entitled to improve their standard of living and to receive the privileges accorded to permanent residents of those countries.

35. One of the major challenges for the Palestinian Authority was to create the necessary institutional structures, such as a ministry of absorption for returnees, as well as to generate sufficient economic growth. In his view, the PLO should push for the granting of residency rights for the Palestinian refugees in Lebanon and Syria, as well as in the other Arab countries. It would be in Israel's basic interest to admit a modest number of Palestinians inside the Green Line since then it could make stronger claims for similar absorptions on the part of the host Arab countries and the Palestinian Authority. A fund for compensating Palestinian refugees should be established, with the participation of the world community.

36. Voicing his belief that no Government in power in Israel would be prepared to make substantive concessions on the question of refugees, Mr. Tamari expressed concern that in the coming period this issue would be further marginalized and neglected by the Israeli negotiators until it became an explosive and destabilizing issue in the relations between Israelis and Palestinians, as well as between the Authority and the Palestinian diaspora.

37. **Mr. Andrew Robinson**, Director-General, Middle East Peace Process Coordination Bureau, Department of Foreign Affairs and International Trade, Canada, said that the Refugee Working Group (RWG) of the multilateral talks had been set up to complement the bilateral negotiations, by improving the current living conditions of refugees and displaced persons, easing and extending access to family reunification and supporting the process of achieving a viable and comprehensive solution to the refugee issue. The work of the RWG had been organized according to various themes, with certain countries taking responsibility for the individual themes of the group: data bases, child welfare, human resource development, job creation and vocational training, social and economic infrastructure, and family reunification.

38. The RWG had held an important meeting in Geneva in December 1995. A number of activities were mandated, including a mission to Lebanon, Jordan, the West Bank and Gaza. In Jordan, the Group had consulted with refugees in five camps, discussed the issues with Jordanian officials and had meetings with UNRWA. The Group's traditional emphasis on refugees outside the West Bank and Gaza had not changed. However, it had agreed to focus on those areas to address the process of rapid change taking place there and had consulted with the Palestinian Authority in a way that was acceptable to the parties. The concept of adaptation to change would be very useful for project development and policy formulation with respect to the West Bank and Gaza. Management of the adaptation to change would be important to the Palestinian Authority and for all residents of the area as they dealt with changing circumstances.

39. In May, the Group had considered the situation of the refugees in Lebanon and the need for donors to find ways to support them, either through donations to UNRWA or through other channels. Unfortunately, the Governments of the Syrian Arab Republic and Lebanon did not participate in the Group, thereby limiting the ability to address the issue. Nevertheless, the Group was committed to maintaining a dialogue with those countries and with their Palestinian communities. On a recent visit to Lebanon, he had expressed concern to the Government about the humanitarian, economic and civil situation of its Palestinian refugees. Meanwhile, at the beginning of June, another RWG activity - an intersessional on data bases, which had taken place in Oslo - reported on the work in progress and identified directions in which the data base activity should be proceeding.

40. In his conclusion, Mr. Robinson emphasized the cooperation of the RWG and UNRWA, particularly project development and implementation. As the RWG had been working in adaptation to change for the West Bank and Gaza, it had consulted with NGOs on an ever more frequent basis and had invited them to consider how adaptation to change should be developed from their perspective to address the challenges of change.

41. **Mrs. Rosemary Sayigh**, anthropologist, writer and independent researcher, Beirut, said that demographers estimated that more than two thirds of the Palestinian people were refugees. In her view, most decisions concerning their fate were being taken in an international or regional context marked by United States-Israel domination, official Arab detachment, moves to dismantle the legal and institutional framework of refugees' rights, and Palestinian fragmentation.

42. Refugees were especially vulnerable in Lebanon, where the authorities opposed short-term improvement in their status as well as their ultimate settlement. Among the factors affecting the situation of Palestine refugees she mentioned denial of civil rights, freedom to work or travel and exclusion from public services; lack of representation; restrictions on camp space, and environmental conditions; unemployment and underemployment; and a crisis in health

and education. In addition, there had been a decline in external aid, since 1991, as the international community believed that the Palestinian problem was being solved.

43. Mrs. Sayigh described the work of local Palestinian NGOs in Lebanon, which had increased from 5 to 17 since 1982. That increase was a community response to the gravity of the situation and to the void left after the evacuation of the PLO from Beirut. There was an imbalance in NGO orientation, size, services offered, resources, and partnerships: nine NGOs ran kindergartens, but only four worked in the field of health. Projects had been chosen without prior research. NGOs had to register under Lebanese law, which restricted their membership, direction and employment. A coordinating forum was recently established around the 17 local NGOs, but they were still lacking a development strategy for their work. Another recent development was the formation in March 1995 of the Palestinian NGO Refugee Advocacy Group, bringing together NGOs from the occupied territory, Jordan, Syria and Lebanon.

44. Mrs. Sayigh concluded by saying that the NGOs could work to mobilize Palestinian and Arab communities and their media around the refugees' right to choice. They could seek to persuade the Lebanese Government to give Palestinian refugees civil rights and mobilize UNRWA to maintain and strengthen its services. They could form an informational task force to visit refugee communities and send youth volunteers to work with Palestinian NGOs in Lebanon.

45. **Mr. Don Peretz**, Professor Emeritus at Binghamton University, New York, said that the question of compensation as a result of the 1948 refugee exodus had been deferred because of differing ideas on who was responsible for the flight of refugees and who should pay for abandoned property. As Israel had until now disclaimed responsibility, it had not considered compensation as an obligation under international law. However, it had offered to consider payment as part of a general peace agreement with due regard to counter-claims for Jewish property lost in the 1948 war and for property abandoned by Jews who had subsequently left various Arab countries. The Arab States and the Palestinians insisted that compensation was an individual right of the refugees personally or of their beneficiaries. They placed responsibility for payment on Israel but insisted that the United Nations should share this obligation because of its role in the establishment of the Jewish State.

46. The dimensions of the problem were evident in reports of the United Nations Conciliation Commission for Palestine (CCP) Refugee Office, and of the Israel Custodian of Absentee Property. In 1949 the CCP had estimated that over 4,000 square kilometres of Israel's cultivable land were abandoned by Palestinian Arab refugees; this represented about a fifth of Israel's total area, nearly two and a half times the total of Jewish-owned property at the end of the British mandate for Palestine. According to official Israeli sources, including the Custodian of Absentee Property, of the 370 new Jewish settlements established between 1948 and 1953, 350 were on former Arab land and more than a third of Israel's Jewish population lived on this property in 1954. Taking into account changing property values and inflation, estimates would total several billion dollars.

47. Identification of this vast amount of property was difficult in 1948 and would cause even greater difficulty now after so many years. A number of technical problems confronted those dealing with the compensation issue. At the end of the mandate in 1948 many records of property registration were scattered. The land system also presented difficulties, as a large part of Palestine was registered under the old Ottoman system that often was inexact. Some estimates suggested that up to 50 per cent of the land was communally owned. Nearly half of the area of Palestine included the southern Negev region where Bedouin ownership was presumed rather than clearly defined.

48. In conclusion Mr. Peretz emphasized that the most important question was the source of funding for compensation and how it would be administered. He suggested combining the problems of compensation and economic rehabilitation. That could be done through the establishment of an international fund for refugee

compensation and rehabilitation to be administered by a commission composed of Israel, the Palestinian Authority and the former combatants. The commission could raise funds for economic rehabilitation, with priority to be given to individual claims.

49. **Mr. William Lee**, Chief of the New York Liaison Office of UNRWA, said that over 3.2 million Palestine refugees were currently registered with UNRWA. Of those, 1.3 million were in Jordan, 700,000 in Gaza and 524,000 in the West Bank. Lebanon and Syria each hosted some 340,000 Palestine refugees. The Agency provided eligible refugees with free basic education through the first 10 years of schooling, access to its high-tech vocational and technical training colleges, and a community-based health-care service. It also looked after sanitation in the camps and had a growing environmental health programme. In the social services, UNRWA provided relief to the poorest refugees, including food rations, cash assistance, and grants and loans to set up self-support schemes and business enterprises.

50. He pointed out that basic programmes had improved significantly in recent years. Although there were too many overcrowded classrooms in outdated buildings, there were now newly designed schools, each with a fully equipped computer room, equipped laboratories, a library and activity rooms. Income generation itself, which UNRWA initiated in 1991, had become a major activity, with an outstanding portfolio of $8 million in loans, supporting more than 1,000 refugee-run enterprises, and with a repayment rate of over 90 per cent, despite the deterioration in economic conditions in Gaza and the West Bank. UNRWA also added a programme of working-capital loans to microvendors, mostly women street merchants and enterprise owners in the informal sector.

51. These programmes in Gaza had transformed UNRWA's relationship with the refugee community from one of dependence to one of partnership and were having a major positive impact on the social and economic environment. With the present refugee growth rate of about 3 per cent a year, UNRWA had to adapt its programmes to new circumstances. In recent years, particularly, UNRWA had been asked to do more, to take on the burden of providing assistance to the Palestine refugees in exceptional circumstances, such as the years of turmoil in Lebanon or in the period of the intifada and Israeli countermeasures in the West Bank and Gaza. However, over the same period, the voluntary funding on which UNRWA depended for running its core programmes had not kept pace with increased demand. UNRWA had taken an important initiative to address this problem in 1993, with the creation of the Peace Implementation Programme. To date, donors had contributed $199 million. Mr. Lee cited a few examples: construction of 53 schools and 213 additional schoolrooms; rehabilitation of more than 3,000 shelters and repair of another 3,500; comprehensive maintenance of 45 UNRWA and Palestinian Authority schools; renovation and upgrading of three vocational centres; construction of 14 health centres and upgrading of seven others; establishment of 15 women's programme centres and community rehabilitation centres and the upgrading of six more, and the establishment of six new kindergartens; renovation of 11 rehabilitation centres and youth activity centres; upgrading of the Gaza College of Nursing and reconstruction of the Gaza Rehabilitation Centre for the Visually Impaired. A major investment was the 232-bed hospital UNRWA was building near Khan Younis in the Gaza Strip. It would increase the number of hospital beds in Gaza by 24 per cent. Another important project was the four-year waste-water project in Gaza City, in the Gaza Strip and for four camps in the West Bank, as well as a project to construct water and sewerage networks in eight camps in Lebanon.

52. Mr. Lee concluded by stressing UNRWA's current dilemma. Donors were willing to make funds available for the realization of massive projects, with visible benefits for the refugees, and yet were unable to maintain their support of UNRWA's basic mission, its core activities in education, health, relief and social services. The move of UNRWA headquarters from Vienna to Gaza was due to be completed by the middle of July 1996. The move was seen as an important initiative to support the Palestinian Authority, to boost the local economy and to create jobs for the Palestinians.

Plenary III. Jerusalem

53. **Mr. Ziad Abu Zayyad**, journalist, editor and publisher of the Palestine-Israel journal and Member of the Palestinian Council, Jerusalem District, said that the United Nations partition resolution was the only international legitimacy that Israel had claim to and that that resolution did not recognize Israel's rights to Jerusalem but provided that the city should be an international entity.

54. After 1967, Israel had launched an intensive campaign to change the image of East Jerusalem and convert it into a Jewish city. The number of Jewish settlers had increased from none in 1967 to 160,000 today. As part of this effort to Judaize East Jerusalem, Israel had denied many Palestinians the right to build on their own land, deeming large areas in East Jerusalem as public or "green" areas. Between 1990 and 1993, the Jerusalem municipality had issued 103 building licences to Palestinians, and 2,617 building licences to Israelis.

55. He argued that the closure of the West Bank and Gaza was not for security reasons but served the dual purpose of damaging the economic situation in the city and forcing Palestinians to sell their land, as well as attempting to prepare Palestinians psychologically for life without Jerusalem. The practice of confiscating and not issuing Jerusalem Palestinians identity cards was begun in 1973 to comply with a secret decision made by the Israeli Government to keep the Arab population under 28 per cent of the total.

56. Settlements had been strategically placed around East Jerusalem in order to separate the city from the rest of the occupied land in the West Bank. This practice strangled East Jerusalem and produced an isolation complex on Palestinians living in the city while increasing the Jewish population in Jerusalem.

57. Mr. Zayyad pointed out that Jerusalem was not only considered a holy place by Palestinians, but was also a symbol of their national dignity. Palestinians did not differentiate between religious and political jurisdiction, but viewed the city as a single entity. He pointed out the centrality of Jerusalem to the future of the peace process and stressed the importance of having the city's boundaries clearly defined and agreed upon before any real progress was possible. The failure to achieve a settlement of Jerusalem could lead to a conflict between Palestinians and Israelis, Muslims and Jews, and Christians and Jews, the outcome of which could not be predicted.

58. **Mr. Moshe Ma'oz**, Professor of the history of the Middle East and Director of the Harry S. Truman Research Institute for the Advancement of Peace, Hebrew University, Jerusalem, said that many Israeli Jews did not acknowledge the importance of East Jerusalem for the Palestinians despite the fact that for decades it had been the political and spiritual centre of the Palestinian national movement, as well as the geographical and economic link between northern and southern parts of the West Bank and between the West Bank and the Gaza Strip, and that a variety of Palestinian national, cultural, social and religious institutions had functioned there for long periods of time. Palestinians made up one third of the city's population; consequently, any solution that failed to satisfy their national-political aspirations would not be viable, even if their religious and municipal needs were fulfilled. The issues of sovereignty and the status of the Old City remained the major bones of contention between Israelis and Palestinians.

59. He expressed the view that Jerusalem ought to be the undivided capital of two peoples. This would mean a joint sovereignty of both States or a condominium of Israel and Palestine, administered by an umbrella council and local district councils, with an Israeli parliament and ministries in the western sector and Palestinian ones in the eastern sector. Another solution would be scattered sovereignty in an undivided city, with Israeli law applied in every Israeli majority district and Palestinian law applied in every Palestinian majority district as though those districts were parts of Israel and Palestine. Other options for the future status of Jerusalem were shared sovereignty, functional sovereignty or divided sovereignty - with the Old City having a special status - administered by the Israeli and

Palestinian Governments or by representatives of the three religions. Since most Israeli Jews would not be ready to accept any of those designs, perhaps more acceptable would be the establishment of a Palestinian sovereign capital, al-Quds, in the eastern sections of Jerusalem. Haram al-Sharif would have a special status as an Islamic site under the guardianship of Arab and Islamic States. The Old City would be administered by a Jerusalem umbrella municipal council composed of Israelis and Palestinians and assisted by an interfaith committee of Jewish, Christian and Muslim religious sages.

60. Mr. Ma'oz said that in light of the victory of Mr. Netanyahu and the ultra nationalist-religious Jewish forces, who had made united Jewish Jerusalem their motto in the election campaign, the chances for a pragmatic solution were rather slim. The new Israeli Government would not offer any political solution to the Palestinians in Jerusalem. That policy would provoke deep resentment and wide opposition. It was possible that the new Government would offer a limited religious solution in Jerusalem, such as giving Jordan a major role in administering the Muslim shrines at Haram al-Sharif. Consequently, Israeli failure to resolve the Jerusalem issue could not only bring about the resumption of the Palestinian intifada, but possibly also impair Israel's peace with Egypt and Jordan, prevent an Israeli-Syrian agreement, reverse Israel's newly established ties with other Arab and Muslim nations and damage its position in the international community.

61. **Mr. Ibrahim Matar**, Deputy Director of American Near East Refugee Aid, Jerusalem, spoke about the process of Judaization of East Jerusalem. He recalled that shortly after the June 1967 war, the Jewish State had begun a series of measures intended not only to maintain Jewish control of the city and its Palestinian population but also to change its demographic character. In addition to the destruction of the Moghrabi Quarter, the Israelis had evicted Palestinians from their homes in the Old City. As a result of those measures, the Jewish quarter of the Old City today was four times the size it was in 1948. East Jerusalem was three times the size it was in 1967. The confiscation of Muslim and Christian Palestinian property and the building on that land of exclusively Jewish settlements was not only contrary to international law, but also a form of religious apartheid. In addition, there were planning restrictions, such as declaring large areas of Palestinian-owned land "Green Zones", which could be conveniently changed when the Government decided to build on this land. Since 1967, Israel had dispossessed Palestinians of over 24,000 dunums of the most expensive real estate in the heart and outskirts of East Jerusalem. The estimated value of Arab property seized for Jewish settlements in East Jerusalem exceeded $1 billion. The value of property in homes, office buildings, villages and real estate seized and taken over by Israel in West Jerusalem in 1948 was in the billions and too great to quantify. With the completion of Ramat Shu'fat, the Palestinian population of East Jerusalem would be encircled and flanked on all sides. The 157,000 Palestinians of Jerusalem were already outnumbered, as the number of Jewish settlers reached 160,000 in 1995. Finally, in order to complete the Judaization and Jewish control of Jerusalem, in March 1993 Israel had closed access to East Jerusalem for Palestinians from the West Bank, reducing business in East Jerusalem by 80 per cent and cutting the West Bank into three cantons. At first Palestinians thought that this was a temporary measure, but it has become permanent.

62. He proposed an arrangement under which East Jerusalem would be the capital of Palestine, with its own municipality, and the borders between East and West Jerusalem would follow the 1967 lines but be open in both directions. The Jewish quarter in the old city, the Wailing Wall and the Jewish cemetery on the Mount of Olives would have extraterritorial status. An agreed number of Jewish residents of East Jerusalem would remain as Israeli citizens, with their own municipal boroughs within the Palestinian municipality of East Jerusalem. Each religion would be in charge of its own holy places and institutions. Central structures would exist at an inter-ministerial level to address political and infrastructure issues. Land requisitioned by Israel but not built upon would revert to Palestinian hands.

63. **Mr. Stephen Zunes**, Professor of Politics, University of San Francisco, California, said that the Clinton Administration had backed away from the United States commitment to the United Nations under six previous United States Administrations, particularly with respect to Jerusalem. Although the United States found itself in the contradictory position of trying to uphold international law but refusing to apply the necessary pressure on the Israeli Government to end its violations, the United States did remain faithful, at least in rhetoric, to important principles of international law. For example, in 1991, Secretary of State James Baker, in his letter of assurance to Arab leaders in preparation for the Madrid peace talks, had explicitly stated that the United States did not recognize Israel's annexation of East Jerusalem.

64. The Clinton Administration was the first United States Administration to refuse to condemn the construction of illegal settlements in Arab East Jerusalem, even vetoing a Security Council resolution condemning Israeli confiscation of Palestinian land in East Jerusalem in 1995. The United States assertion that the Jerusalem land dispute should be resolved by direct negotiations between the parties was disingenuous on face value, given the gross asymmetry in power between the Palestinians and the Israeli occupiers. In the June 1993 paper to the delegations in the Washington peace talks, the United States for the first time would not renew its commitment to Security Council resolutions 242 (1967) and 338 (1973). In April 1994, the United States abstained from a section of a United Nations resolution condemning the February massacre at the mosque in Hebron, objecting to a paragraph which referred to the Arab part of Jerusalem as occupied territory. In March 1994, Vice-President Al Gore had reaffirmed the Clinton Administration's position which recognized a united Jerusalem as the capital of Israel.

65. Mr. Zunes concluded by saying that no bilateral agreement between the parties could supersede the authority of the Security Council, which had declared Jerusalem an occupied city. Given the centrality of Jerusalem to any comprehensive peace settlement, that change in policy might have serious ramifications. Since only the United States had the influence to force Israel to end its occupation of Jerusalem, the shift threatened the peace process and the stability of the entire region and emboldened hardliners on both sides. It could discourage the Israeli Government from necessary compromise. Only the United States and Israel supported the idea of a Jerusalem united under Israeli sovereignty as Israel's capital. Even some of the Jewish State's strongest defenders, including many Israelis, recognized the danger of supporting Israel's claim to all of Jerusalem.

IV. CLOSING STATEMENTS

66. **Mr. Larry Ekin**, Chairman of the NACC, said that the engaging and frank discussions over the past days were not in vain; they offered the participants new insights and a sense of cohesion. In light of this transitional and redefining period for the Palestinian people, he highlighted the vital need for a partnership among the North American NGOs and for a willingness of the participants to remain open to new solutions and alternatives.

67. **Mr. Nasser Al-Kidwa**, Permanent Observer of Palestine to the United Nations, said a continuing, expansive and more effective NGO contribution was expected, especially in light of this transitional period. The Observer Mission was committed to confronting policies of the new Israeli Government that included such concepts as denying the national rights of the Palestinian people, the claim to exclusive Israeli ownership of Jerusalem and the promotion of settler colonialism on Palestinian land; he deemed NGO support crucial in that opposition. He reaffirmed the Observer Mission's support of and solidarity with the NGO community and stressed continuing cooperation until a just and lasting peace was achieved in the region.

68. **Mr. Ibra Deguène Ka,** Chairman of the Committee on the Exercise of the Inalienable Rights of the Palestinian People, reaffirmed the vital role that the NGOs should play in creating an informed and mobilized public opinion in support of the Palestinian people. He stressed the importance of strengthening and enlarging the active network of NGOs by expanding accreditation criteria, reviewing NGO participation and increasing the exchange of information between the Division for Palestinian Rights and the NGO community.

69. The Committee recognized the transitional nature of the situation and would accordingly continue all efforts to promote the exercise the inalienable rights of the Palestinian people in accordance with United Nations resolutions, while exercising flexibility in carrying out its programme of work. He expressed hope that recommendations and plans for NGO action made in the workshops would be carried out with commitment, energy and effectiveness.

ANNEX I

North American Coordinating Committee for NGOs on the Question of Palestine 1996-1997

Arab Women's Council (AWC) - United States **

Canadian Council of Churches (CCC) - Canada **

Centre d'études arabes pour le développement (CEAD) - Canada *

Episcopal Church - United States *

Grassroots International - United States *

Methodist Federation for Social Action (MFSA) - United States *

Palestine Aid Society (PAS) - United States **

Palestine Human Rights Campaign of Georgia (PHRC) - United States *

Palestinian Women's Association of Ottawa (PWA) - Canada **

Pax World Service - United States **

Presbyterian Church USA - United States **

YWCA of the USA - United States *

* Reconfirmed, term expiring in 1997.
** Newly elected, term expiring in 1998.

ANNEX II

Recommendations of the workshops

The workshops provided an opportunity for NGO participants to discuss among themselves in greater depth and in an informal setting the presentations made in the plenaries. The workshops were moderated by members of the NACC; several panelists served as resource persons. The main purpose of the workshops was to develop action proposals and strategies to be carried out by the NGO community in North America on the specific issues under consideration at the Symposium. Reports containing action recommendations were submitted by the workshops on building civil society, the peace process and the diaspora community, and the future of Jerusalem, and are summarized below:

- The NACC, in cooperation with other coordinating committees, should work out a code of conduct for international NGOs, containing guidelines for their relationship with Palestinian NGOs in the implementation of projects on the ground;

- All North American NGOs should obtain E-mail addresses and, if feasible toll-free 800 numbers in order to improve communications and reach-out efforts with their constituencies;

- The NACC should nominate three representatives to serve as the link with the Palestinian Refugees Advocacy Group, as a way to involve North American NGOs in the work and dissemination of the Group's activities;

- NGOs should form a diaspora liaison committee that would present views and establish communication with the Palestinian Authority;

- NGOs should be informed of the availability of the following Internet addresses relevant to refugees:

  - The Palestinian Refugee ResearchNet, a scholarly project of the Interuniversity Consortium for Arab Studies with the support of McGill University and the International Development Research Centre, dedicated to the dissemination of information on the Palestinian refugee issue via the world-wide web at http://www.facl.mcgill.ca/MEPP/PRRN/prfront.html;

  - The Refugee Study Centre SHAML, located at Birzeit University at http:\\ www.Birzeit.edu(.)

ANNEX III

List of participants and observers

Participant NGOs

American-Arab Anti-Discrimination Committee, Washington, D.C.
American Educational Trust, Washington, D.C.
American Friends of Palestine, Astoria, N.Y.
American Friends Service Committee, Philadelphia, PA
Americans for a Middle East Understanding, New York
Association of Arab-American University Graduates (AAUG), Washington, D.C.
Association of Democratic Lawyers, New York
Canadian Arab Federation, Etobicoke, Ontario
Canadian Autoworkers Social Justice Fund, North York, Ontario
Canadian Council of Churches, Montreal, Quebec
Capital District Committee for Palestinian Rights, Albany, New York
Centre d'études arabes pour le développement, Montreal, Quebec
Church of Humanism, New York
Church Women United, New York
Coalition for P.E.A.C.E., New York
Coalition for Peace in the Middle East, Youngstown, Ohio
Council for the National Interest, Washington, D.C.
Council of Arab American Organizations, New York
Council of Masajid of USA, Old Bridge, N.J.
Development Resource Center, New York
The Episcopal Church USA, Little Rock, AR
Federation of American Arab Organizations, New York
General Board of Global Ministries of the United Nations Methodist Church, New York
General Union of Palestinian Students, New York
Grassroots International, Sommerville, MA
International Committee for Arab-American Reconciliation, Piscataway, N.J.
International Jewish Peace Union, Seattle, WA
International Movement for Unity Among Races and Peoples, New York
Labor Committee on the Middle East, San Francisco, CA
Lawyers Committee for International Human Rights, New York
Louisville Committee for Israeli/Palestinian States, Louisville, KY
Lutheran World Federation, New York
Madre, Inc., New York
Medical Aid for Palestine (MAP-Canada), Montreal, Quebec
Methodist Federation for Social Action, Staten Island, N.Y.
Middle East Fellowship of Southern California, Burbank, CA
Middle East Research and Information Project, Washington, D.C.
Moral Rearmament Inc., Washington, D.C.
National Association of Arab-Americans, Washington, D.C.
The National Council of the Churches of Christ in the USA, New York
Near East Cultural and Educational Foundation of Canada (NECEF), Toronto

Near East Foundation, New York
Neturei Karta - Friends of Jerusalem, New York
Palestine Aid Society, Ann Arbor, MI
Palestine American Congress, Chicago, IL
Palestine Red Crescent Society, New York
Palestinian American Society of Engineers, Baton Rouge, LA
Palestinian Human Rights Campaign of Georgia, Inc., Stone Mountain, GA
Pax World Service, Washington, D.C.
Presbyterian Church, Louisville, KY
Princeton Middle East Society, Princeton, NJ
Save the Children Federation, Westport, CT
Sons of Turmos Aya Charitable Society, New York
United Church Board for World Ministries, New York
United Holy Fund, Chicago, IL
Women's International League for Peace and Freedom, New York

Observer NGOs

American Committee on Jerusalem
Americans for Peace Now
Amnesty International
Arab Women's Council
The Arab-American Family Support Center
Association for World Education
Council for Arab American Organization
Domestic and Foreign Missionary Society
Earthstewards Network
Galilee Society
Indo-Arab Islamic Association
Institute for Social and Educational Collaboration with Women in the Middle East
International Desalination Association
Middle East Crisis Committee
Middle East Preservation on Safe Travel Sites
National Jewish Community Relations Advisory Council
National Training Centre for Resource Centre Directors
Organizing Committee of Equality Conference
Palestine Red Crescent Society
The Palestinian American Chamber of Commerce
Palestinian Arab Fund
Palestinian Women's Association
Pax Christi International
Search for Common Ground
Truth in the Middle East (T.I.M.E.)

Coordinating committees for NGOs on the question of Palestine

International Coordinating Committee for NGOs on the Question of Palestine (ICCP)
North American Coordinating Committee (NACC) on the Question of Palestine

Panelists

Izaat Abdul-Hadi
Larry Ekin
Samia Khoury
William Lee
Moshe Ma'oz
Ibrahim Matar
Don Peretz
Andrew Robinson
Rosemary Sayigh
Salim Tamari
Ziad Abu Zayyad
Stephen Zunes

Committee on the Exercise of the Inalienable Rights of the Palestinian People

Mr. Ibra Deguène Ka, Chairman
Permanent Representative of Senegal to the United Nations

Mr. Bruno Eduardo Rodríguez Parrilla, Vice-Chairman
Permanent Representative of Cuba to the United Nations

Mr. Ravan A.G. Farhadi, Vice-Chairman
Permanent Representative of Afghanistan to the United Nations

Mr. Joseph Cassar, Rapporteur
Permanent Representative of Malta to the United Nations

Governments

Albania
Belarus
France
Greece
Grenada
Guinea-Bissau
Hungary
Indonesia

Ireland
Italy
Lebanon
Malaysia
Philippines
Spain
Uruguay
Viet Nam

Organizations having received a standing invitation to participate as observers in the sessions and the work of the General Assembly and maintaining permanent observer missions at Headquarters

Palestine

Intergovernmental organizations

League of Arab States
Organization of the Islamic Conference

United Nations bodies and agencies

International Labour Organization
United Nations Children's Fund (UNICEF), Middle East Section
United Nations Development Programme (UNDP)
United Nations Industrial Development Organization (UNIDO)
United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA)
World Health Organization (WHO)